

**BEFORE**  
**THE PUBLIC SERVICE COMMISSION**  
**OF SOUTH CAROLINA**  
**DOCKET NO. 2000-0036-T**

IN RE: Petition of the Office of Regulatory	)	
Staff to Revoke the Charter Bus	)	
Certificate of Albertha Cohen and Richard	)	PETITION FOR RULE TO
Taylor dba Taylor Tours	)	SHOW CAUSE
For Failure to Maintain and File	)	
Evidence of Insurance	)	

The Office of Regulatory Staff, by filing this petition, would respectfully show and request of the Commission:

1. That the Public Service Commission of South Carolina (“the Commission”) is a state agency constituted pursuant to the laws of the State of South Carolina with its business offices located in Columbia, South Carolina; that the Commission is responsible for the regulation of motor vehicle carriers operating for compensation as set forth in S.C. Code Ann. §58-23-10 et seq. (1976 and Supp.2005); that the Office of Regulatory Staff (“ORS”) is charged with the duty to protect the public interest pursuant to S.C. Code Ann. Section 58-4-10, et seq. as enacted by 2005 S.C. Acts 175.

2. That Albertha Cohen and Richard Taylor dba Taylor Tours (hereinafter “Taylor Tours”) is currently operating as a “motor vehicle carrier” as defined in S.C. Code Ann. §58-23-10(4) (Supp.2005) in that it owns, controls, operates, or manages motor propelled vehicles, not usually operated on or over rails, used in the business of transporting persons or property for compensation over improved public highways in this state.

3. That Taylor Tours is subject to the jurisdiction of this Commission pursuant to S.C. Code Ann. §58-23-1010 et seq. (1976 and Supp.2005); further, that Taylor Tours has submitted itself to the jurisdiction of the Commission by holding a Charter Bus Certificate as indicated in Attachment A. See Attachment A, Charter Bus Certificate issued by the Commission to Taylor Tours on January 10, 2001.

4. That Taylor Tours, upon receiving its Charter Bus Certificate, was found to be fit, willing and able to operate as a motor carrier by the Commission; that such authority found Taylor Tours to be “familiar with all statutes and regulations, including safety regulations, governing for-hire motor carrier operations in South Carolina” and that Taylor Tours “agree(d) to operate in compliance with these statutes and regulations” [26 S.C. Code Regs 103-133(4)(a) (Supp. 2005)]; further, that Taylor Tours was “aware of the Commission's insurance requirements and the costs associated therewith” [26 S.C. Code Regs 103-133(4)(b) (Supp. 2005)].

5. That the Commission requires motor carrier applicants to procure and file with the Commission proper proof of insurance and that the insurance “must be kept in full force and effect and failure to do so is cause for the revocation of the certificate.” S.C. Code Ann. §58-23-910 (Supp.2005).

6. That the ORS was notified by the receipt of a Form K, “Uniform Notice of Cancellation of Motor Carrier Insurance Policies,” received by the ORS on or about May 25, 2006 from the Lincoln General Insurance Company that Taylor Tours’ insurance policy with Lincoln General Insurance Company would be terminated at 12:01am on June 28, 2006. See Attachment B, Form K.

7. That as a result of the receipt of the Form K, the ORS contacted Taylor Tours requiring that the Company provide evidence of insurance to the ORS within thirty (30) days as Taylor Tours would no longer have insurance as required under S.C. Code Ann. §58-23-910 (Supp. 2005) on June 28, 2006. See Attachment B, Form K and Attachment C, Certified Letter of George Parker.

8. That Taylor Tours has failed to respond or otherwise provide proof of insurance to the ORS as required by S.C. Code Ann. §58-23-910 (Supp.2005) and 26 S.C. Code Regs 103-171 (Supp.2005). See Attachment D, Affidavit of Jeanne Gordon.

9. That “either a failure to file evidence of insurance or surety bond or failure to keep all insurance or bonds in full force and effect shall be just cause for the Commission, without further evidence or hearing, to suspend its order granting authority or to suspend the certificate or any license issued to the motor carrier.” 26 S.C. Code Regs. 103-175 (Supp. 2005); further, that the insurance “must be kept in full force and effect and failure to do so is cause for the revocation of the certificate.” S.C. Code Ann. §58-23-910 (Supp. 2005).

10. That pursuant to 26 S.C. Code Regs. 103-240 (Supp. 2005):

The Commission may at any time, after notice and opportunity to be heard, suspend, revoke, alter, or amend any certificate, if it shall be made to appear that the holder has willfully violated or refused to observe orders, rules, or regulations prescribed by the Commission, provisions of the Motor Vehicle Carrier Law, or any other law of this State regulating motor carriers for hire and applicable to the holder of such certificate, or, if, in the opinion of the Commission, the motor carrier holding a Charter Bus Certificate is not furnishing adequate service or it is no longer compatible with the public interest to continue said certificate in force, or, if in the opinion of the Commission, the motor carrier holding a Certificate of FWA is no longer furnishing adequate service, or said carrier no longer meets the fit, willing, and able criteria, or the motor carrier holding a charter bus certificate no longer meets the Commission's insurance requirements or the safety requirements of the Department of Public Safety, or the continuance of said certificates are not in conformity with the spirit and purpose of the law, provided, however, that this rule shall have no effect upon rules hereinbefore set forth which authorize suspension, revocation, alteration, or amendment of a certificate or of an order granting operating rights without hearing where certain conditions exist.

11. That “the Commission may, at any time, by its order, duly entered, after a hearing had upon notice to the holder of any certificate hereunder at which such holder shall have had an opportunity to be heard and at which time it shall be proved that such holder has willfully made any misrepresentation of a material fact in obtaining his certificate or willfully violated or refused to observe the laws of this State touching motor vehicle carriers or any of the terms of his certificate or of the Commission's proper orders, rules or regulations, suspend, revoke, alter or amend any certificate issued under the provisions of Articles 1 to 11 of this chapter.” S.C. Code Ann. §58-23-320 (Supp.2005).

12. That the address upon which the ORS served the letter attached hereto as Attachment A, notifying Taylor Tours that it was no longer in compliance with the Commission requirements concerning proof of insurance, is the mailing address on file with the Commission and ORS and such address was provided by Taylor Tours.

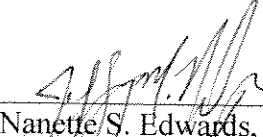
**WHEREFORE**, the ORS staff prays that the Honorable Commission:

1. Immediately suspend the effectiveness of the Charter Bus Certificate held by Taylor Tours shown in Attachment A for its failure to file necessary proof of insurance forms pursuant to 26 S.C. Code Regs. 103-175 (Supp.2005);

2. Schedule and conduct a formal administrative hearing as soon as practicable to address disputed issues of fact and law regarding the Certificate which the ORS seeks to have revoked by the Commission in this action pursuant to 26 S.C. Code Regs. 103-175 and 103-240 (Supp.2005) and S.C. Code Ann. §58-23-320 (Supp.2005).

3. Following the formal administrative hearing, immediately rule to revoke the Certificate of Taylor Tours in accordance with the authority provided the Commission under S.C. Code Ann. §58-23-320 and thereafter immediately enter a final written order canceling the Charter Bus Certificate held by Taylor Tours;

4. For other appropriate action which the Commission may deem necessary.



---

Nancie S. Edwards, Esquire  
Jeffrey M. Nelson, Esquire  
Office of Regulatory Staff  
P.O. Box 11263  
Columbia, South Carolina 29211

September 6, 2006  
Columbia, South Carolina



**Public Service Commission of South Carolina**  
**Columbia, South Carolina**

**CLASS C – Charter Bus**

Docket No. 2000-0036-T

Order No. 2001-015

Certificate No. 0106-A

**CHARTER BUS CERTIFICATE**

NAME: Albertha Cohen and Richard Taylor DBA TAYLOR TOURS

ADDRESS: 2463 Bohicket Road, Johns Island, SC 29455

a charter bus passenger service, by means of motor propelled vehicles, has furnished evidence of compliance with regard to minimum amounts of financial responsibility relating to insurance requirements and safety requirements of the South Carolina Department of Public Safety.

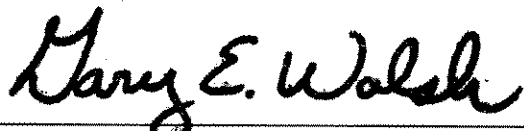
BETWEEN POINTS AND PLACES IN SOUTH CAROLINA

COPY

Neither this Certificate nor the rights granted herein shall be sold, assigned, leased, transferred, mortgaged, pledged, or otherwise hypothecated, unless first approved by the Commission.

DATED at Columbia, South Carolina, this 10th day of January

A.D., 2001.



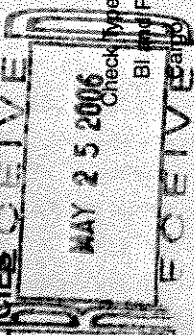
Executive Director



Chairman

UNIFORM NOTICE OF CANCELLATION OF  
MOTOR CARRIER INSURANCE POLICIES  
(Executed in Triplicate)

SC



Filed with OFFICE OF REGULATORY STAFF

(Name of Commission)

(hereinafter called Commission)

This is to advise that under the terms of a policy or policies issued to:

ALBERTA CHEN AND RICHARD TAYLOR DBA: TAYLOR TOURS

(Name of Motor Carrier)

of 2463 BOHICKET ROAD JOHNS ISLAND, SC 29455

(Address of Motor Carrier)

by LINCOLN GENERAL INSURANCE COMPANY

(Name of Company)

of 3350 WHITEFORD ROAD, P.O. BOX 3709 YORK, PENNSYLVANIA 17402-0136

(Address)

said policy or policies, including any and all endorsements forming a part thereof or certificates issued in connection therewith, is (are) hereby cancelled effective as of the 28 day of JUNE 20 06 12:01 A. M., standard time at the address of the Insured as stated in said policy or policies provided such date is not less than thirty (30) days after the actual receipt of this notice by the Commission.

Insurance Company File No. LPA101795-02

(Policy Number)

*Robert C. Kins*

(Signature of Insurer)

5/23/06

MC 2445a (Ed. 8-99) UNIFORM INFORMATION SERVICES, INC.

IRB 3547A

C. DUKES SCOTT  
EXECUTIVE DIRECTOR

P.O. Box 11263  
Columbia, S.C. 29211



Phone: 803 737-0800  
Fax: 803 737-0801

DAN E ARNETT  
CHIEF OF STATE

KATIE C. MORGAN  
DIRECTOR  
TELECOMMUNICATIONS, TRANSPORTATION, WATER/WASTEWATER

MAY 25, 2006

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

ALBERTHA COHEN AND RICHARD TAYLOR DBA  
TAYLOR TOURS  
2463 BOHICKET ROAD  
JOHNS ISLAND, SC 29455

**RE: Public Service Commission Required Intrastate Insurance Filing**

Dear Sir/Madam:

Pursuant to S.C. Code Regs 103-170.1, all motor carriers regulated by the Public Service Commission must file evidence of current insurance.

The Office of Regulatory Staff has received the following notice affecting your current insurance coverage:

Insurance Type:	Public Liability and Property Damage Insurance Policy No LPA101795-02
Issued by:	LINCOLN GENERAL INSURANCE COMPANY
Will be:	<b><u>CANCELLED EFFECTIVE 6/28/06 at 12:01 a.m.</u></b>

To remain in compliance with the Public Service Regulations, it is necessary that you file proof of current insurance coverage with the Office of Regulatory Staff prior to the above listed cancellation date. Proof of insurance can be mailed or faxed to:

State of South Carolina  
Office of Regulatory Staff  
Transportation Department  
P.O. Box 11263  
Columbia, SC 29211  
Fax number: 803/737-0801

If you fail to provide this information, you are ordered and directed to cease operations as of the above cancellation date.

Operation without proper insurance is a violation of the law and you will be subject to all penalties as outlined in the S.C. Code of Law and Regulations.

Please contact the Transportation Department with any questions at 803/737-0800.

Sincerely,

L. George Parker  
Program Manager  
Transportation Department



CERTIFIED MAIL™

State of South Carolina  
Office of Regulatory Staff  
PO Box 11263  
Columbia, SC 29211

7005 0390 0002 6160 0265



UNITED STATES POSTAGE  
\$04.64<sup>0</sup>  
02 1A  
0004367136 MAY 31 2006  
MAILED FROM ZIP CODE 29201

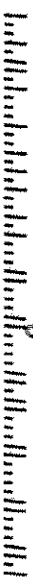
UNCLAIMED

ALBERTHA COHEN AND RICHARD  
TAYLOR DBA  
TAYLOR TOURS  
2463 BOHICKET ROAD  
JOHNS ISLAND, SC 29455

UNCLAIMED  
CHAS SC 29423

1ST NOTICE  
2ND NOTICE  
RETURNED  
UNC

29455+3316-63 R017



**BEFORE**  
**THE PUBLIC SERVICE COMMISSION**  
**OF SOUTH CAROLINA**  
**DOCKET NO. 2000-0036-T**

**August 17, 2006**

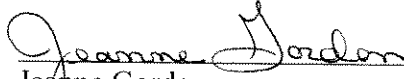
IN RE: Petition of the Office of Regulatory )  
Staff to Revoke Certificates of ) AFFIDAVIT OF  
Public Convenience and ) Jeanne Gordon  
Necessity of Certain Motor Carriers )

The Affiant, after having been first duly sworn, deposes and states as follows:


- 1) My name is Jeanne Gordon and I am employed by the Office of Regulatory Staff ("ORS") as Program Specialist for the Transportation Department.
- 2) My office is located at 1441 Main Street, Columbia, South Carolina, 29201 (Mailing Address: Post Office Box 11263, Columbia, South Carolina 29201).
- 3) My duties and responsibilities as Program Specialist for ORS include serving as custodian of records for business filings associated with motor vehicle carriers subject to the jurisdiction of the Public Service Commission ("PSC").
- 4) It is the regular business practice of ORS to maintain certain business records required to be filed by motor vehicle carriers that are subject to the jurisdiction of the PSC.
- 5) As a result of my duties and responsibilities, I have knowledge of the manner in which the books and records are kept and of any books or records which are not complete or which are not on file with ORS.
- 6) On June 28, 2006, I examined the business records on file with ORS.
- 7) I attest that the proof of insurance as required by 26 S.C. Code Regs 103-171 has not been filed with ORS by the following company as of August 15, 2006:

<b>Albertha Cohen and Richard Taylor dba Taylor Tours 2463 Bohicket Road Johns Island, SC 29455</b>
---

AND FURTHER THE AFFIANT SAYETH NOT.

  
Jeanne Gordon  
Program Specialist, Transportation Department  
**Office of Regulatory Staff**  
P.O. Box 11263  
Columbia, South Carolina 29211

Sworn and subscribed before me  
this 16 day of August, 20 06

  
Notary Public for South Carolina  
My Commission Expires: 08-17-07